Appl. No. 10/520,199
Final Amendment and/or Response
Reply to final Office action of 27 June 2007

Reply under 37 CFR 1.116
Expedited Procedure – TC 2109

Page 7 of 9

REMARKS / DISCUSSION OF ISSUES

Claims 1-5 and 7-20 are pending in the application.

The applicant respectfully requests the admittance of this amendment, to place the claims in a better condition for allowance or appeal. Claims 1, 17, and 19 are amended herein to include the limitations of claim 6, and claim 6 is canceled herein. The applicant respectfully notes that this amendment adds no new matter, and does not require an additional search, because claim 6 had been examined and specifically addressed in the final Office action.

The applicant notes that the Office action rejects claims 1-18 under 35 U.S.C. 102(b), but fails to explicitly reject or allow claims 19 and 20. If this response does not result in the allowance of all claims, the applicant respectfully requests a subsequent Office action that explicitly rejects, objects to, or allows each claim, to place the application in better condition for appeal.

The Office action rejects claims 1-18 under 35 U.S.C. 102(b) over Hewagamage et al. ("Augmented Album: Situation-dependent System for a Personal Digital Video/Image collection", hereinafter Hewagamage). The applicant respectfully traverses this rejection.

MPEP 2131 states:

"A claim is anticipated only if *each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The *identical invention* must be shown in as *complete detail* as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

As noted above, each of the applicant's independent claims is amended to include the limitations of claim 6. These limitations include identifying similar data objects based on a classification parameter, and associating the classification parameter of these similar data objects with a data object when a source parameter of the data object is similar to a source parameter of the similar data objects.

Appl. No. 10/520,199
Final Amendment and/or Response
Reply to final Office action of 27 June 2007

Reply under 37 CFR 1.116
Expedited Procedure – TC 2109

Page 8 of 9

The Office action asserts that Hewagamage teaches the elements of claim 6 at page 325, left column, line 25 through page 326, left column, line 2. The applicant respectfully disagrees with this assertion. At the cited text, Hewagamage teaches the display of information from an image database in an organized manner ("Situation-dependent Browsing"). Hewagamage does not teach classifying the images at the cited text; Hewagamage teaches displaying the images based on their defined parameters:

> "The user interacts with the system using three components, Map Component, Time Component, and Events Component that correspond to parameters used [location, time, event] in interpreting the user-situation."

Hewagamage does not teach that any of these browsing components change any of the defined parameters of each image.

The Office action notes that Hewagamage teaches using a single icon to display multiple occurrences of images that would be displayed atop each other:

> "Map Component as seen in Figure 2 uses a geographical map as its underline [sic] interface with zoom-in and zoom-out facilities. If a picture was taken at a specific location, a small icon appears to indicate the picture at that location. If several pictures (videos and/or images) are taken at the same location having insignificant time difference, then they are considered to belong to the same context and a single icon is used to represent them."

Hewagamage does not teach that this representation of these multiple images by a single icon has any effect on the images' other parameters that are used to classify the image, and Hewagamage does not teach associating a common classification to the images that are represented by this single icon, as specifically claimed in each of the applicant's independent claims.

Hewagamage does not teach, for example, that the event parameter that is associated with an image is modified to represent a common event, as asserted and/or implied by the Office action. As taught by the applicant, by associating a common classification to an image having a similar parameter value to images having this common classification, the efficiency of the subsequent sorting and/or searching tasks is substantially improved. Hewagamage's use of a common graphic display technique to minimize clutter on a display, on the other hand, has no effect on the sorting or searching efficiency, because Hewagamage does not teach

Appl. No. 10/520,199
Final Amendment and/or Response
Reply to final Office action of 27 June 2007

Reply under 37 CFR 1.116
Expedited Procedure – TC 2109

Page 9 of 9

associating common classifications to images sharing common parameters, and does not teach modifying the parameters of an image to correspond to a common classification.

Hewagamage's classification technique is solely related to the parameters that are determined based on the particular image. If an image is taken at a time corresponding to an event in a user's calendar, the event parameter of that image is set to the corresponding event. Hewagamage does not teach determining a classification of an image based on similarities of the image's parameters to groups of other images' parameters, as claimed in each of the applicant's independent claims. Accordingly, the applicant respectfully maintains that the rejection of claims 1-5 and 7-20 under 35 U.S.C. 102(b) over Hewagamage is unfounded, per MPEP 2131, and should be withdrawn.

In view of the foregoing, the applicant respectfully requests that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

/Robert M. McDermott/
Robert M. McDermott, Esq.
Reg. 41,508
804-493-0707

Please direct all correspondence to:
Yan Glickberg, Esq.
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9618
Fax: (914) 332-0615